

Interagency Committee of State Employed Women (ICSEW)

Committee Policies and Procedures

1.05 Contracts (Personal Services)

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PURPOSE

This Personal Service and Purchased Service Contract policy provides guidelines in establishing authority and general procedures for contracts.

INTENT

The intent of this policy is to provide a streamlined method for proposing ICSEW Personal Services contracts using a tiered level of approval. The policy and procedure shall recognize that OFM is the handler of ICSEW funds and purchasing shall be in compliance with OFM policies.

SCOPE

This policy applies to all new committee contracts for the purchase of Personal Services and Purchased Services on behalf of the ICSEW.

DEFINITIONS

Personal Services: Personal services are professional or technical services provided by a consultant to accomplish a specific study, project, task, or other work statement. Consultant's, who provide personal services, serve state agencies or boards by offering advice based on specialized knowledge, skills and experience and/or provide training/workshops in required areas, i.e. conference speakers and/or workshop trainers.

Purchased Services: Purchased services are more repetitive, routine or mechanical in nature, following established or standardized procedures. These services contribute to the day-to-day business operations rather than the management side and may meet more general needs of the board, i.e. catering. Purchased services are subject to ICSEW policy 1.10 Purchasing.

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POLICY

Contracts entered into by ICSEW will be executed and administered in accordance with federal and state laws (including ethics laws), and state Personal Service and Purchase Services regulations. Those persons responsible for Personal Service contracting on behalf of the ICSEW are required to adhere to all contracting rules and regulations. Applicable are RCW 39.29. See also the Guide to Personal Service Contracting. For best business practices the Ethics in Public Service Act, RCW 42.52, is also applicable. Purchased Services are subject to RCW 43.19 and Policies for Personal Services in the S.A.A.M. Section 15.10, 15.20 and 15.30.

Signature authority for the execution of ICSEW contracts is the ICSEW Chair. The ICSEW Chair may assign a designee for signature authority and execution of ICSEW contracts to any Executive Board member who has completed Personal Services Contracts training. Responsibility for the overall coordination and administration of contracts is assigned to the ICSEW Executive Board.

RCW 39.29.120 requires those who execute or manage personal service contracts valued at \$5,000 or more complete specific contract training offered by OFM. Those who have not completed the training by January 1, 2004 cannot execute or manage personal service contracts unless they have requested an exemption from OFM. Individuals granted exemptions are expected to register for the next available class offered by OFM.

PROCEDURE

Expense Approval

Any planned personal services contract expense are to be included in the subcommittee and overall ICSEW business plan at a high level. Items that are included in the final approved published ICSEW business plan are assumed budgeted and require no further approval. Committees may use discretion on the actual spending of dollars by item without additional approval as long as the committee's actual budget is not exceeded. The committee chair will be responsible for approving purchases and reimbursements charged to their committee's budget.

Personal service contracts not included in the final approved ICSEW Business Plan may be approved as follows:

- Up to \$49 – The ICSEW Chair may approve emergency expenditures up to \$49.

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- \$50 - \$499 or non-emergent under \$50 – The ICSEW Board shall vote to approve expenditures between \$50 and \$499 and non-emergent expenditures under \$50.
 - A quorum of at least 51% of the members of the board must be included in the vote to be valid.
 - A motion must be made by a board member,
 - A second to the motion must be presented by another board member.
 - Upon a motion and second, the expenditure will be voted on.
 - The motion and the vote will specify a brief description and maximum value of the intended purchase.
 - The vote result will be captured in the meeting minutes.
 - An affirmative vote will be noted by the Treasurer and included in future budget projections.
 - The voting process may be completed by electronic mail or conference call if an in-person meeting is not practical.
- All personal services contract expenses of \$500 or more – The ICSEW Membership shall vote to approve expenditures of \$500 or more.
 - A quorum of at least 51% of the membership must be included in the vote to be valid.
 - A motion must be made by a committee member,
 - A second to the motion must be presented by another committee member.
 - Upon a motion and second, the expenditure will be voted on.
 - The motion and the vote will specify a brief description and maximum value of the intended purchase.
 - The vote result will be captured in the meeting minutes.
 - An affirmative vote will be noted by the Treasurer and included in future budget projections.
 - The voting process may be completed by electronic mail or conference call if an in-person meeting is not practical.

Contract Processing

- The Subcommittee Chair proposes a contract by submitting the Contract Request Form to the ICSEW Executive Board for review and approval. The Subcommittee Chair shall complete a Risk Assessment Questionnaire for each potential Contract and submit to the Chair.
- The Subcommittee Chair shall develop a written Statement of Work, which describes specific work to be completed by Contractor, which shall include performance measurements.
- All contracts shall be made with a good faith effort to secure the best price for quality services and/or goods. Competition is required for personal service contracts of \$5,000 or more, but in keeping with the state's public

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policy favoring competition, use of limited competition is recommended for contracts less than \$5,000 when feasible.

- The Subcommittee Chair shall obtain advance approval for all sole source Personal Service contracts of \$5,000 or more and competitive contracts of \$20,000 or more from Office of Financial Management.
 - All Sole Source Contracts with a cumulative consideration of \$5,000 or more, and their amendments, shall be filed with OFM a minimum of ten working days prior to the proposed start date of contract. ICSEW Chair/designee completes filing with OFM.
 - Competitive Contracts valued \$20,000 or more, and their amendments, shall be filed with OFM and subject to the applicable filing period. Contracts subject to OFM approval must be filed at least 10 working days in advance of start of services and those subject to review may begin the date filed with OFM.
 - Emergency personal service contracts of \$5,000 or more, and their amendments, shall be filed with OFM within three working days of start of services or contract execution, whichever is sooner.
 - Contract numbers are maintained and distributed from the ICSEW Chair.
- The data collected during contract negotiations is incorporated into the final contract form (attached). The ICSEW Committee Chair/designee will provide the Contract Request form, a Statement of Work, and a federal reporting form W-9 (attached), with each contract.
- The ICSEW Executive Board shall review final contract. The ICSEW Chair and/or designee shall sign all contracts.
- The Subcommittee Chair and/or designee shall be responsible to monitor the performance of the contract and to approve invoices for payment of the contractor's services.
- A Contract Log shall be maintained for each contract issued by the ICSEW Executive Board.

RELEVANT LAW AND OTHER RESOURCES

- Purchased Services and Goods, RCW 39.29 and RCW 43.19.
- OFM Guide to Personal Service Contracts
- Regulations for implementation are set forth in chapter 15 of the *State Administrative and Accounting Manual*.
- Ethics in Public Service Act, RCW 42.52

Board Approved:
April 7, 2004

Committee Approved:
April 14, 2004